



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.usplo.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,776	12/12/2003	Alan Kraemer	SRSLABS.323A	1852
	7590 06/06/200	EXAMINER		
KNOBBE MARTENS OLSON & BEAR LLP			<u> </u>	
2040 MAIN STREET			LEE, PING	
FOURTEENTH FLOOR				
IRVINE, CA 9	2614		ART UNIT	PAPER NUMBER
, ,		1	2615	
			•	
			NOTIFICATION DATE	DELIVERY MODE
		·	06/06/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com eOAPilot@kmob.com

		Application No.	Applicant(s)			
	·	10/734,776	KRAEMER ET AL.			
	Office Action Summary	Examiner	Art Unit			
		Ping Lee	2615			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
	ORTENED STATUTORY PERIOD FOR REPLY	/ IS SET TO EXPIRE 1 MONTH	I(S) OR THIRTY (30) DAYS			
WHIC - Exter after - If NC - Failu Any	CHEVER IS LONGER, FROM THE MAILING DANSions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. o period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION Set a). In no event, however, may a reply be the apply and will expire SIX (6) MONTHS from the cause the application to become ABANDON	N. imely filed n the mailing date of this communication. ED (35 U.S.C. § 133).			
Status			1			
1)🛛	Responsive to communication(s) filed on 12 Ap	<u>oril 2004</u> .	T.			
,,	This action is FINAL . 2b) This action is non-final.					
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
	closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 4	153 O.G. 213.			
Disposit	ion of Claims					
	Claim(s) 1-53 is/are pending in the application.		·			
	4a) Of the above claim(s) is/are withdraw					
	5) Claim(s) is/are allowed.					
·	6) Claim(s) is/are rejected.					
•	7) Claim(s) is/are objected to.					
8)🖂	Claim(s) <u>1-53</u> are subject to restriction and/or e	election requirement.	1			
Applicat	ion Papers					
9)	The specification is objected to by the Examine	r.				
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11)	The oath or declaration is objected to by the Ex	aminer. Note the attached Offic	e Action or form PTO-152.			
Priority (under 35 U.S.C. § 119		:			
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) ☐ All b) ☐ Some * c) ☐ None of:						
1. Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No						
	3. Copies of the certified copies of the prior					
	application from the International Bureau	u (PCT Rule 17.2(a)).				
* See the attached detailed Office action for a list of the certified copies not received.						
Attachmer		∆ □ I=4==== 0	(DTO 412)			
	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summa Paper No(s)/Mail				
3) Infor	mation Disclosure Statement(s) (PTO/SB/08) er No(s)/Mail Date	5) Notice of Informal 6) Other:	Patent Application			

Application/Control Number: 10/734,776

Art Unit: 2615

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species:

Species 1 as shown in Fig. 1A for used with speakers on a television;

Species 2 as shown in Fig. 1A for used with speakers on a cellular phone;

Species 3 as shown in Fig. 1B for used with speakers on a television;

Species 4 as shown in Fig. 1B for used with speakers on a cellular phone;

Species 5 as shown in combination of Figs. 1C and 1A for used with speakers on a television;

Species 6 as shown in combination of Figs. 1C and 1A for used with speakers on a cellular phone;

Species 7 as shown in combination of Figs. 1C and 1B for used with speakers on a television;

Species 6 as shown in combination of Figs. 1C and 1B for used with speakers on a cellular phone;

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species with appropriate figure(s) of drawing that is elected consonant with this

Application/Control Number: 10/734,776

Art Unit: 2615

requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

2. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Application/Control Number: 10/734,776 Page 4

Art Unit: 2615

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ping Lee whose telephone number is 571-272-7522. The examiner can normally be reached on Monday, Wednesday and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Primary Examiner Art Unit 2615

pwl